

Applications

Form Number _____

If the application form was previously approved, date of approval: _____

Note that if the application form was previously approved, it still must be submitted to make the filing complete.

___ If the application is for use with specific policies, the policy form numbers, including approval dates, must be listed, along with a statement explaining when the form will be used.

Bulletin SRB 90-02

Fraud Warning

___ Does the application contain a fraud warning?

___ yes ___ no (**note: Massachusetts does not require a fraud warning**)

If yes, its wording must comply with

___ the NAIC model language:

“ Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.”

OR

___ language required by one of the states that require specific language

___ must identify the state

___ must present support for using that state’s language on a Massachusetts form.

___ cannot use any state language that is specific to that state; *e.g.*, Florida states that a fraudulent statement is “a felony of the third degree.” This is not true of Massachusetts and the Florida warning could not, therefore, be used here.

Electronic Signatures

___ Does the carrier contemplate using electronic signatures?

___ yes ___ no

The Division allows for electronic signature capture only when the application process involved and the software used can ensure the security of the consumer and the integrity of the sales process.

If yes, there must be a document explaining the procedure for signature capture and the security measures taken, including at a minimum:

___ The physical arrangements and actual presentation of data must be identical to the application form approved by the Division.

___ The signatures of the applicant and enroller must be displayed on the computer screen in real time.

___ Once accepted, the application record and signature must be bound in a single record.

- ___ “Awareness protection” must include confirmation dialogue that the signer understands precisely the intentions of the signature and must provide visual confirmation of the actual signing.
- ___ The encryption and storage of the signature and reviewed data to which it is attached must be automatic. Through encryption, the bonded signature and data cannot be changed without recognition of the fact that it was changed.
- ___ The software system must automatically purge electronic signatures from the file once the policy has been issued, to prevent the use of the signature for any purpose other than those specific to issuance of the policy.
- ___ A form, with a form number, must be given to prospective policyholders which explains the procedure and the security measures.